

Honorable Karen L. Strombom

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

WESTERN WASHINGTON PAINTERS
DEFINED CONTRIBUTION PENSION
TRUST, EMPLOYEE PAINTERS' TRUST
HEALTH & WELFARE FUND, WESTERN
WASHINGTON PAINTERS
APPRENTICESHIP AND TRAINING TRUST,
LABOR MANAGEMENT COOPERATION
TRUST, INTERNATIONAL BROTHERHOOD
OF PAINTERS & ALLIED TRADES UNION,
INTERNATIONAL BROTHERHOOD OF
PAINTERS AND ALLIED TRADES
PAINTERS DISTRICT COUNCIL NO. 5,
Plaintiff(s),

vs.

CAPITOL CITY ENTERPRISES, INC., a
Washington corporation, JOHN B. YATES and
JANE DOE YATES, husband and wife and the
marital community comprised thereof,
PATRICK A. WEST and JANE DOE WEST,
husband and wife and the marital community
comprised thereof, DENNIS L. MILLER and
JANE DOE MILLER, husband and wife and the
marital community comprised thereof, JOSEPH
T. POLLARI and JANE DOE POLLARI,
husband and wife and the marital community
comprised thereof, MAURICE A.
SCHOUVILLIER and JANE DOE
SCHOUVILLIER, husband and wife and the
marital community comprised thereof,
Defendant(s).

CAUSE NO.: CV07-5190KLS

NOTICE AND ORDER OF
VOLUNTARY DISMISSAL
WITH PREJUDICE

**NOTE ON MOTION
CALENDAR: June 6, 2008**

1 Plaintiffs Western Washington Painters Defined Contribution Pension Trust, Employee
 2 Painters' Trust Health & Welfare Fund, Western Washington Painters Apprenticeship and
 3 Training Trust, Labor Management Cooperation Trust, International Brotherhood of Painters &
 4 Allied Trades Union, International Brotherhood of Painters and Allied Trades Painters District
 5 Council No. 5 (the Trust Funds), by and through their counsel of record, hereby dismiss this
 6 action with prejudice against Defendants Capitol City Enterprises, Inc. a Washington
 7 corporation, John B. Yates and Jane Doe Yates, husband and wife, and the marital community
 8 comprised thereof, Patrick A. West and Jane Doe West, husband and wife, and the marital
 9 community comprised thereof, Dennis L. Miller and Jane Doe Miller, husband and wife, and
 10 the marital community comprised thereof, Joseph T. Pollari and Jane Doe Pollari, husband and
 11 wife, and the marital community comprised thereof, Maurice A. Schouvillier and Jane Doe
 12 Schouvillier, husband and wife, and the marital community comprised thereof, for the reason
 13 that Plaintiff Trust Funds' claim against said Defendants Capitol City Enterprises, Inc. a
 14 Washington corporation, John B. Yates and Jane Doe Yates, husband and wife, and the marital
 15 community comprised thereof, Patrick A. West and Jane Doe West, husband and wife, and the
 16 marital community comprised thereof, Dennis L. Miller and Jane Doe Miller, husband and
 17 wife, and the marital community comprised thereof, Joseph T. Pollari and Jane Doe Pollari,
 18 husband and wife, and the marital community comprised thereof, Maurice A. Schouvillier and
 19 Jane Doe Schouvillier, husband and wife, and the marital community comprised thereof, has
 20 been resolved.

21 DATED this 27th day of May, 2008.

22
 23 s/David L. Tuttle

24 WSBA #38728

25 Ekman, Bohrer & Thulin, P.S.

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Attorney for Plaintiff Trust Funds

ORDER

Pursuant to Plaintiff Trust Funds' Motion, the Clerk is hereby directed to dismiss Western Washington Painters Defined Contribution Pension Trust, Employee Painters' Trust Health & Welfare Fund, Western Washington Painters Apprenticeship and Training Trust, Labor Management Cooperation Trust, International Brotherhood of Painters & Allied Trades Union, International Brotherhood of Painters and Allied Trades Painters District Council No. 5's action against Defendants Capitol City Enterprises, Inc. a Washington corporation, John B. Yates and Jane Doe Yates, husband and wife, and the marital community comprised thereof, Patrick A. West and Jane Doe West, husband and wife, and the marital community comprised thereof, Dennis L. Miller and Jane Doe Miller, husband and wife, and the marital community comprised thereof, Joseph T. Pollari and Jane Doe Pollari, husband and wife, and the marital community comprised thereof, Maurice A. Schouvillier and Jane Doe Schouvillier, husband and wife, and the marital community comprised thereof, in accordance with the following Order. It is hereby

ORDERED that the above-entitled action against Defendants Capitol City Enterprises, Inc. a Washington corporation, John B. Yates and Jane Doe Yates, husband and wife, and the marital community comprised thereof, Patrick A. West and Jane Doe West, husband and wife, and the marital community comprised thereof, Dennis L. Miller and Jane Doe Miller, husband and wife, and the marital community comprised thereof, Joseph T. Pollari and Jane Doe Pollari, husband and wife, and the marital community comprised thereof, Maurice A. Schouvillier and Jane Doe Schouvillier, husband and wife, and the marital community comprised thereof, shall be and hereby is dismissed with prejudice and without costs to either party.

1 DATED this 29th day of May, 2008.

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5 Karen L. Strombom
6 United States Magistrate Judge
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10 Presented by:

11 s/David L. Tuttle

12 WSBA #38728

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